



## DECLARATION AND POWER OF ATTORNEY

As the below-named inventors, we declare that:

Our residences, post office addresses, and citizenships are as stated below under our names.

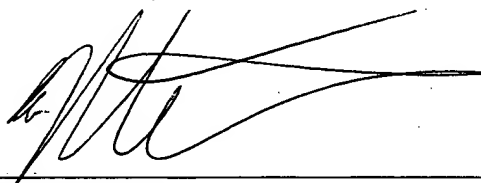
We believe we are the original, first, and joint inventors of the invention entitled "METHODS FOR MODULATING SIGNAL TRANSDUCTION MEDIATED BY TGF- $\beta$  AND RELATED PROTEINS," which is described and claimed in the specification and claims of Patent Application No. 09/385,918, which we filed in the United States Patent and Trademark Office on August 30, 1999 and for which a patent is sought.

We have reviewed and understand the contents of the above-entitled specification, including the claims, as amended by any amendment specifically referred to herein (if any).

We acknowledge our duty to disclose information of which we are aware which is material to the patentability and examination of this application in accordance with 37 C.F.R. § 1.56(a).

We hereby appoint RICHARD W. SEED, Reg. No. 16,557; ROBERT J. BAYNHAM, Reg. No. 22,846; GEORGE C. RONDEAU, JR., Reg. No. 28,893; DAVID H. DEITS, Reg. No. 28,066; WILLIAM O. FERRON, JR., Reg. No. 30,633; DAVID J. MAKI, Reg. No. 31,392; RICHARD G. SHARKEY, Reg. No. 32,629; DAVID V. CARLSON, Reg. No. 31,153; KARL R. HERMANN, Reg. No. 33,507; DAVID D. MCMASTERS, Reg. No. 33,963; MICHAEL J. DONOHUE, Reg. No. 35,859; LORRAINE LINFORD, Reg. No. 35,939; ELLEN M. BIERMAN, Reg. No. 38,079; ANN T. KADLECEK, Reg. No. 39,244; DAVID W. PARKER, Reg. No. 37,414; E. RUSSELL TARLETON, Reg. No. 31,800; KEVIN S. COSTANZA, Reg. No. 37,801; THOMAS E. LOOP, Reg. No. 42,810; STEPHEN J. ROSENMAN, Reg. No. 43,058; BRIAN L. JOHNSON, Reg. No. 40,033; SUSAN D. BETCHER, Reg. No. 43,498; JANE E. R. POTTER, Reg. No. 33,332; KENNETH H. TARBET, Reg. No. 43,181; WILLIAM T. CHRISTIANSEN, Reg. No. 44,614; ROBERT IANNUCCI, Reg. No. 33,514; GARY M. MYLES, Reg. No. P-46,209; and ERIC J. GASH, Reg. No. P-46,274; comprising the firm of Seed Intellectual Property Law Group PLLC, 701 Fifth Avenue, Suite 6300, Seattle, Washington 98104-7092; as our attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. Please direct all correspondence to **Ann T. Kadlecek** at Seed Intellectual Property Law Group PLLC, 701 Fifth Avenue, Suite 6300, Seattle, Washington 98104-7092, telephone calls to (206) 622-4900 and telecopies to (206) 682-6031.

We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that the making of willfully false statements and the like is punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and may jeopardize the validity of any patent issuing from this patent application.



Merl F. Hoekstra

Date Feb 16/00

Residence : City of Cardiff-by-the-sea, County of San Diego  
State of California

Citizenship : United States of America

P.O. Address : 2361 Manchester Avenue  
Cardiff-by-the-sea, CA 92007



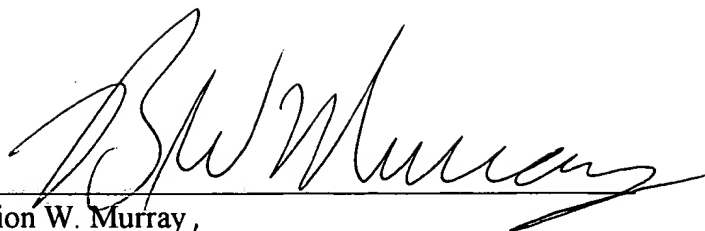
Weilin Xie

Date 2/11/2000

Residence : City of San Diego, County of San Diego  
State of California

Citizenship : United States of America

P.O. Address : 5375 Ruelle De Mer  
San Diego, CA 92130



Brion W. Murray

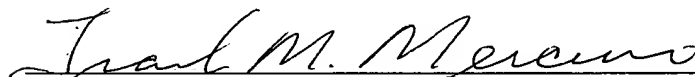
Date

2/11/00

Residence : City of San Diego, County of San Diego  
State of California

Citizenship : United States of America

P.O. Address : 2685 Narcissus Drive  
San Diego, CA 92106



Frank M. Mercurio

Date

2/11/00

Residence : City of Del Mar, County of San Diego  
State of California

Citizenship : United States of America

P.O. Address : 2707 Caminito Verdugo  
Del Mar, CA 92014

Wpn/860098/433/Forms/Declaration  
(860098.433)

1  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Merl F. Hoekstra, Weilin Xie, Brion W. Murray and  
Frank M Mercurio  
Attorney's Docket No: 860098.433  
Application No.: 09/385,918  
Filed: August 30, 1999  
For: METHODS FOR MODULATING SIGNAL TRANSDUCTION  
MEDIATED BY TGF- $\beta$  AND RELATED PROTEINS

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS**  
**(37 C.F.R. §§ 1.9(f) AND 1.27(c)) -- SMALL BUSINESS CONCERN**

I declare that I am:

- ☐ the owner of the small business concern identified below.  
☒ an official of the small concern empowered to act on behalf  
of the concern identified below.

NAME OF CONCERN: Signal Pharmaceuticals, Inc.  
ADDRESS OF CONCERN: 5555 Oberlin Drive  
San Diego, CA 92121

I declare that the above-identified small business concern qualifies as a small business concern as defined in 13 C.F.R. §§ 121.3-18 and reproduced in 37 C.F.R. § 1.9(d) for purposes of paying reduced fees under 35 U.S.C. §§ 41(a) and 41(b) in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I declare that rights under contract or law have been conveyed to and remain with the small business concern with regard to the invention entitled:

**METHODS FOR MODULATING SIGNAL TRANSDUCTION**  
**MEDIATED BY TGF- $\beta$  AND RELATED PROTEINS**

by inventors: Merl F. Hoekstra, Weilin Xie, Brion W. Murray and Frank M. Mercurio  
as described in:

- ☐ the specification filed herewith.  
☒ Application No. 09/385,918, filed August 30, 1999.  
☐ Patent No. \_\_\_\_\_, issued \_\_\_\_\_.



If the rights held by the small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 C.F.R. § 1.9(c) or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).\*

\*NOTE: Separate verified statements are required from each named person, concern and organization having rights to the invention averring to his/its status as a small entity. (37 C.F.R. § 1.27)

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

- ☐ individual  
☐ small business concern  
☐ nonprofit organization

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

- ☐ individual  
☐ small business concern  
☐ nonprofit organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earlier of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that the making of willfully false statements and the like is punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

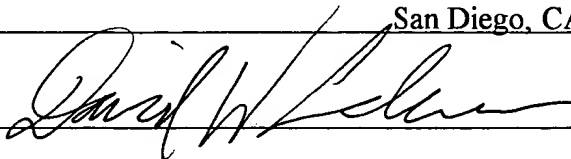
NAME OF PERSON SIGNING: David W. Anderson, Ph.D.

TITLE OF PERSON OTHER THAN OWNER: Vice President, Research

ADDRESS OF PERSON SIGNING: 5555 Oberlin Drive

San Diego, CA 92121

SIGNATURE: \_\_\_\_\_



DATE: 2-11-00